

# **TOWN WARRANT**

## For the Town of Weare

### The State of New Hampshire



#### FIRST SESSION OF THE ANNUAL MEETING

Saturday, February 4, 2006

10:00 A.M.

CENTER WOODS ELEMENTARY SCHOOL

TO THE INHABITANTS OF THE TOWN OF WEARE, IN THE COUNTY OF  
HILLSBOROUGH, IN SAID STATE, QUALIFIED TO VOTE IN TOWN AFFAIRS:

You are hereby notified to meet at the Center Woods Elementary School in said Weare on Saturday, February 4, 2006 at ten o'clock in the morning, for the explanation, discussion, debate and possible amendment of each Warrant Article, and to transact all business other than voting by official Ballot.

#### SECOND SESSION OF THE ANNUAL MEETING

TUESDAY, MARCH 14, 2006

7:00 A.M. To 7:00 P.M.

CENTER WOODS ELEMENTARY SCHOOL

TO THE INHABITANTS OF THE TOWN OF WEARE, IN THE COUNTY OF  
HILLSBOROUGH, IN SAID STATE, QUALIFIED TO VOTE IN TOWN AFFAIRS:

You are hereby notified to vote at the Center Woods Elementary School in said Weare on Tuesday, March 14, 2006 beginning at seven o'clock in the morning, and ending at seven o'clock in the evening to elect officers of the Town by official ballot, to vote on questions required by law to be inserted on said official ballot and to vote on all Warrant Articles as accepted or amended by the First Session.

## ARTICLE 1

To choose all necessary town officers for the ensuing year. (By Official Ballot)

## ARTICLE 2

Are you in favor of **Amendment No. 1**, as follows?

Shall the Town amend the Zoning's Ordinance as proposed by the Planning Board as follows?

To make numerous changes to Article 27 (Cluster Housing) to further preserve the natural resources and open space; as well as requiring the open space to be deeded to the Town of Weare with a requested one time stewardship fee?

(A full detail of the proposed changes are available in the Town Clerk's office or Building Department office during regular business hours.)

(**RECOMMENDED** by the Planning Board)

## ARTICLE 3

Are you in favor of **Amendment No. 2**, as follows?

Shall the Town amend the Town's Zoning Ordinance, as proposed by the Planning Board as follows?

To add a definition of residential home to Article 4 to read as follows: "Residential Home - One and two family dwelling".

(**RECOMMENDED** by the Planning Board)

## ARTICLE 4

Are you in favor of **Amendment No. 3**, as follows?

Shall the Town amend the Town's Zoning Ordinance, as proposed by the Planning Board as follows?

To add the words "or roadway" to the end of the sentence of Article 21.1; Article 24.9.1 and Article 25.9.1

(**RECOMMENDED** by the Planning Board)

## ARTICLE 5

Are you in favor of **Amendment No. 4**, as follows?

Shall the Town amend the Town's Zoning Ordinance, as proposed by the Planning Board as follows?

To change the sign size in the village to read as follows:

22.7.1 A maximum number of two (2) signs, each to contain no more than two surfaces, and each surface to contain no more than twelve (12) square feet, shall be permitted on any one lot containing such business or establishment. A sign may have continuous, white, non-flashing external illumination directed solely on the sign without infringing on any residential dwelling or any roadway. For purposes of this section and in addition to the definition in Article 4, a sign includes letters, logos, symbols or any other means of communication attached to or part of an independent structure or attached to or part of a building or other such structure. Where it is attached to or part of an independent structure, the sign shall be the predominant visual feature in terms of size, scale, color and other aspects of appearance.

(**RECOMMENDED** by the Planning Board)

## ARTICLE 6

Are you in favor of **Amendment No. 5**, as follows?

Shall the Town amend the Town's Zoning Ordinance, as proposed by the Planning Board as follows?

To add the following sentence to the end of Article 22.7.2 "The design and placement of signs is to be approved by the Planning Board."

(**RECOMMENDED** by the Planning Board)

## ARTICLE 7

Are you in favor of **Amendment No. 6**, as follows?

Shall the Town amend the Town's Zoning Ordinance, as proposed by the Planning Board as follows?

To add a section 22.9 to Article 22 which will read: Architectural Design of Buildings: Compatible Architectural Styles – The exterior of all new homes and commercial buildings within the Designated Village Districts shall be architecturally compatible with the historic building details in those districts. It is the responsibility of the property owner or their representative to demonstrate to the Planning Board, using Architectural drawings, photos, etc. how this will be accomplished. Sides of structures, not directly visible from public roads will be allowed some leniency of these details or style, to be determined by the Planning Board on a case by case basis.

(**RECOMMENDED** by the Planning Board)

#### ARTICLE 8

Are you in favor of **Amendment No. 7**, as follows?

Shall the Town amend the Town's Zoning Ordinance, as proposed by the Planning Board as follows?

To add the words "excluding junkyards" to the end of the sentence of Article 24.3.7

(**RECOMMENDED** by the Planning Board)

#### ARTICLE 9

Are you in favor of **Amendment No. 8**, as follows?

Shall the Town amend the Town's Zoning Ordinance, as proposed by the Planning Board as follows?

To remove the words "a Site Specific Soil Survey" and replace with "soil types" in Article 14.2 (2).

(**RECOMMENDED** by the Planning Board)

#### ARTICLE 10

Are you in favor of **Amendment No. 9**, as follows?

Shall the Town amend the Town's Zoning Ordinance, as proposed by the Planning Board as follows?

To change Article 25.7 to read as follows: "Buffer Strips: In an Industrial District, any new commercial or new industrial activity adjoining an existing residential home at the effective date of this ordinance or land in a Residential District shall not locate within one hundred (100) feet of a property line or the boundary separating the two Districts, and shall provide for and maintain a strip of native plantings approved by the Planning Board sufficient to act as a visual screen and sound buffer as appropriate to the proposed development and/or activity along and within the buffer strip located along a property line or boundary if the adjoining land may be used for residential purposes."

(**RECOMMENDED** by the Planning Board)

#### ARTICLE 11

Are you in favor of **Amendment No. 10**, as follows?

Shall the Town amend the Town's Zoning Ordinance, as proposed by the Planning Board as follows?

To add the word "contiguous" before the word "non-wetland" in the third sentence of Article 14.2.

(**RECOMMENDED** by the Planning Board)

#### ARTICLE 12

Are you in favor of **Amendment No. 11**, as follows?

Shall the Town amend the Town's Zoning Ordinance, as proposed by the Planning Board as follows?

To change 10 feet to 25 feet in Article 32.6.1 regarding the maximum height over the tree canopy of a wireless telecommunications facility.

(**RECOMMENDED** by the Planning Board)

#### ARTICLE 13

Are you in favor of **Amendment No. 12**, as follows?

Shall the Town amend the Town's Zoning Ordinance, as proposed by the Planning Board as follows?

To amend Article 33.8.B as follows: to remove the phrases "the number of lots in a" and "shall not receive final plat approval for more than five (5) lots in any twelve-month period" and add the words "any" and "shall will be limited to five (5) permits in any twelve-month (12) month period. No building permits are guaranteed as a result of phasing." and remove the second sentence of Article 33.5 F regarding permit transferability.

(**RECOMMENDED** by the Planning Board)

#### ARTICLE 14

Are you in favor of **Amendment No. 13**, as follows?

Shall the Town amend the Town's Zoning Ordinance, as proposed by the Planning Board as follows?

To change Article 24.7 to read as follows: "Buffer Strips: In a Commercial District, any new commercial activity shall provide for and maintain a strip of native plantings approved by the Planning Board, along property lines and boundaries, including road frontage that may be required to act as a visual screen and/or sound buffer as appropriate to the proposed development or activity. The landscape plan will be shown to provide for a visually appealing green space that softens the view."

(**RECOMMENDED** by the Planning Board)

#### ARTICLE 15

Are you in favor of **Amendment No. 14**, as follows?

Shall the Town amend the Town's Zoning Ordinance, as proposed by the Planning Board as follows?

To delete Article 17.3.8 in its entirety.

(**RECOMMENDED** by the Planning Board)

ARTICLE 16

Are you in favor of **Amendment No. 15**, as follows?

Shall the Town amend the Town's Zoning Ordinance, as proposed by the Planning Board as follows?

To change Article 22.4.1 to change the number of dwelling units allowed from four to two and allow 3 or more (multi-family) by special exception.

(**RECOMMENDED** by the Planning Board)

ARTICLE 17

Are you in favor of **Amendment No. 16**, as follows?

Shall the Town amend the Town's Zoning Ordinance, as proposed by the Planning Board as follows?

To add the words "at applicants expense" to both Article 28.5.3 and 29.10.5.

(**RECOMMENDED** by the Planning Board)

ARTICLE 18

Are you in favor of **Amendment No. 17**, as follows?

Shall the Town amend the Town's Zoning Ordinance, as proposed by the Planning Board as follows?

To delete Article 30.4.4 and Article 30.4.5 in its entirety.

(**RECOMMENDED** by the Planning Board)

ARTICLE 19

Are you in favor of **Amendment No. 18**, as follows?

Shall the Town amend the Town's Zoning Ordinance, as proposed by the Planning Board as follows?

To remove the words "at or" in the first sentence of Article 31.10.2.3.

(**RECOMMENDED** by the Planning Board)

ARTICLE 20

Are you in favor of **Amendment No. 19**, as follows?

Shall the Town amend the Town's Zoning Ordinance, as proposed by the Planning Board as follows?

To add Article 3.5.4 to read: "An existing structure currently located within the **front** setback will be allowed to add an addition to the structure, provided that the new addition will not be more non-conforming.

(**RECOMMENDED** by the Planning Board)

#### ARTICLE 21

Are you in favor of **Amendment No. 20**, as follows?

Shall the Town amend the Town's Zoning Ordinance, as proposed by the Planning Board as follows?

To amend sections of Article 28 to comply with current State RSA's and/or clean up verbiage to make the article consistent with current standards and practices of delineating Jurisdictional Wetlands and review of such data by the Planning Board and Conservation Commission. The intent of the article remains the same.

**(RECOMMENDED** by the Planning Board)

#### ARTICLE 22

Are you in favor of **Amendment No. 21**, as follows?

"To amend the Town of Weare Zoning Map by modifying the zoning of Tax Map 412 Lot 247, said parcel being located on South Stark Highway to change from Residential (R) to Commercial (C)? (By Petition)

**(RECOMMENDED** by the Planning Board)

#### ARTICLE 23

Are you in favor of **Amendment No. 22**, as follows?

"In order to preserve open space and our rural character, shall the Town bring its zoning into line with its neighboring towns by increasing the minimum lot size in the rural agricultural district to five acres and the minimum frontage requirements to 300 feet, as follows: (1) amend Article 14 by adding section 14.3: "In the rural agricultural district, the minimum lot size in table 1-1 shall be 217,800 square feet (5 acres). However, until March 1, 2008, a lot of record on March 1, 2006, in the rural agricultural district may be subdivided into two lots each of which meets subdivision requirements on March 1, 2006, including but not limited to lot size and frontage requirements"; (2) amend section 18.2.1 by replacing the first sentence with the following: "Frontage: All lots less than 10 acres must have a minimum of 200 feet of frontage, except in the rural agricultural zone where the minimum shall be 300 feet."; and (3) amend section 30.4.1 by adding a new sentence: "The doubling shall not apply to the minimum lot size requirement in section 14.3." (By Petition)

**(NOT RECOMMENDED** by the Planning Board)

## ARTICLE 24

Shall the Town raise and appropriate a sum not to exceed One Million Eight Hundred Thousand Dollars (\$1,800,000.00) for the purchase of the Ferrante Property, to protect the Town's rural character and natural resources by conserving land; further to authorize the issuance of not more than Seven Hundred Thousand Dollars (\$700,000.00) in bonds and notes under and in compliance with RSA 33:1 te. Seq. as amended; to authorize the Board of Selectmen to apply for, obtain and accept Federal, State, private donations, or other aid , if any, which may be available for said project and to comply with all laws applicable to said project; to authorize the Board of Selectmen to issue, negotiate, sell and deliver said bonds and notes and to determine the rates of interest thereon and the maturity and other terms thereof; to authorize the Board of Selectmen to accept a sum not to exceed Three Hundred Thousand Dollars (\$300,000.00) from the Conservation Fund for the purpose of completing this purchase; to authorize the Board of Selectmen to accept a gift from the Mildred Hall Trust in the amount of Eight Hundred Thousand Dollars (\$800,000.00) ; to authorize the Board of Selectmen to convey certain conservation easements to a qualified land trust such as the Piscataquog Watershed Association or Society for the Protection of New Hampshire Forests; and to authorize the Board of Selectmen to take any other action or to pass any other vote relative thereto. (3/5 Vote required)

**(RECOMMENDED** by Board of Selectmen)

## ARTICLE 25

Shall the Town raise and appropriate, as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant or as amended by vote of the first session, for the purposes set forth therein, totaling Four Million One Hundred Fifty One Thousand Three Hundred and Thirty Three Dollars (\$4,151,331.00). Should this article be defeated, the operating budget shall be Four Million Six Hundred and Eighty Four Dollars (\$4,000,684.00) which is the same as last year, with certain adjustments required by previous action of the Town or by law; or the governing body may hold one special meeting, in accordance with RSA 40:13, X and XVI, to take up the issue of a revised operating budget only.



	Department	Proposed	Default
A	TOWN OFFICERS SALARIES	\$ 21,573.00	\$ 21,573.00
B	TOWN OFFICERS EXPENSES	\$ 23,747.00	\$ 23,647.00
C	ELECTIONS & REGISTRATIONS	\$ 18,472.00	\$ 18,368.00
D	TAX COLLECTOR	\$ 57,398.00	\$ 56,948.00
E	FINANCE COMMITTEE	\$ 60.00	\$ 60.00
F	ASSESSING OFFICE	\$ 285,425.00	\$ 284,197.00
G	LEGAL FEES	\$ 54,000.00	\$ 50,000.00
H	FINANCE ADMINSTRATOR	\$ 42,508.00	\$ 41,913.00
I	TOWN CLERKS OFFICE	\$ 118,558.00	\$ 116,942.00
J	SELECTMAN'S OFFICE	\$ 139,118.00	\$ 138,251.00
K	CABLE COMMITTEE	\$ 4,465.00	\$ 4,345.00
L	TRUSTEES OF TRUST FUNDS	\$ 85.00	\$ 85.00
M	LAND USE	\$ 68,877.00	\$ 67,393.00
N	GENERAL GOVERNMENT BUILDINGS	\$ 54,606.00	\$ 53,980.00
O	CEMETERIES	\$ 33,987.00	\$ 27,805.00
P	INSURANCE	\$ 10,452.00	\$ 10,452.00
Q	ADVERTISEMENTS AND DUES	\$ 7,225.00	\$ 7,225.00
R	POLICE DEPARTMENT	\$ 983,185.00	\$ 915,797.00
S	EMERGENCY MANAGEMENT	\$ 5,000.00	\$ 5,000.00
T	FIRE DEPARTMENT	\$ 232,646.00	\$ 216,300.00
U	BUILDING DEPT/ CODE ENFORCEMENT	\$ 95,745.00	\$ 91,657.00
V	FOREST FIRES	\$ 2,800.00	\$ 2,800.00
W	TOWN MAINT / HIGHWAY DEPT	\$1,026,986.00	\$ 994,236.00
X	STREET LIGHTING	\$ 2,400.00	\$ 2,400.00
Y	TRANSFER STATION	\$ 378,669.00	\$ 370,065.00
Z	SEWER DEPARTMENT	\$ 14,375.00	\$ 14,232.00
AA	WATER DEPARTMENT	\$ 1,699.00	\$ 1,699.00
BB	ANIMAL CONTROL	\$ 17,873.00	\$ 17,873.00
CC	HEALTH OFFICER	\$ 4,618.00	\$ 4,613.00
DD	HUMAN SERVICES	\$ 48,966.00	\$ 48,966.00
EE	PARKS AND RECREATION	\$ 43,206.00	\$ 42,865.00
FF	LIBRARY	\$ 167,735.00	\$ 164,725.00
GG	PATITOTIC PURPOSE	\$ 500.00	\$ 500.00
HH	CONSERVATION COMMISSION	\$ 1,385.00	\$ 785.00
II	ECONOMIC DEVELOPMENT	\$ 1,500.00	\$ 1,500.00
JJ	DEBT SERVICE	\$ 181,489.00	\$ 181,489.00

TOTAL EXPENDITURE	\$ 4,151,333.00	(\$4,000,686.00)
LESS ANTICIPATED REVENUE	\$ 2,982,321.00	
TOTAL TO BE RAISED BY TAX	\$ 1,169,012.00	
DIVIDED BY VALUATION	\$ 416,350.00	
ANTICIPATED TAX RATE	\$ 2.81	

**(RECOMMENDED** by Board of Selectmen)

#### ARTICLE 26

Shall the Town raise and appropriate the sum of Three Hundred Fifty Thousand Dollars (\$350,000.00) for road reconstruction and resurfacing of roads. Of the \$350,000.00, the sum of Two Hundred Twenty One Thousand Two Hundred Forty Five Dollars (\$221,245.00) would be received from Highway Block Grant Funds from the State of New Hampshire (Pursuant to RSA 235) with One Hundred Twenty Eight Thousand Seven Hundred Fifty Five Dollars (\$128,755.00) to be raised by taxation.

(**RECOMMENDED** by Board of Selectmen)

Anticipated tax impact = \$0.297

#### ARTICLE 27

Shall the Town raise and appropriate the non-transferable sum of Fourteen Thousand Dollars (\$14,000.00) to cover the costs of the Town's participation in one (fall) local Household Hazardous Waste Collections in the year 2006, if approved this would become part of the Transfer Station operating budget.

(**RECOMMENDED** by Board of Selectmen)

Anticipated tax impact = \$0.033

#### ARTICLE 28

Shall the Town raise and appropriate the sum of Eighty Five Thousand Dollars (\$85,000.00) for the purpose of hiring 2 (two) additional full-time Police Officers. (The cost stated includes 9 Months of salary, benefits, uniforms, equipment and training, if approved this would become part of the Police Departments future operating budget.)

(**RECOMMENDED** by Board of Selectmen)

Anticipated tax impact = \$0.204

#### ARTICLE 29

Shall the Town raise and appropriate the sum of Thirty Thousand Dollars, (\$30,000.00) to purchase a replacement vehicle for the Building Department, the sum of Thirty Thousand Dollars (\$30,000.00) will be withdrawn from the General Fund Surplus. (This item is part of the Town's Capital Improvement Plan.)

(**RECOMMENDED** by Board of Selectmen)

Anticipated tax impact = \$0.00

#### ARTICLE 30

Shall the Town raise and appropriate an amount not to exceed Ten Thousand Dollars (\$10,000.00) to replace the Fire Chief's vehicle, the sum of Ten Thousand Dollars (\$10,000.00) will withdrawn from the General Fund Surplus. (This item is part of the Town's Capital Improvement Plan.)

(**RECOMMENDED** by Board of Selectmen)

Anticipated tax impact = \$0.00

#### ARTICLE 31

Shall the Town raise and appropriate the sum of Three Hundred Fifty Three Thousand Five Hundred Dollars (\$353,500.00) to be added and allocated to the previously established Capital Reserve Funds as shown in the chart below.

Cemetery Construction	\$ 12,000.00
Fire & Rescue Vehicle Fund	\$110,000.00
Fire Equipment Fund	\$ 12,500.00
Highway Truck & Equipment	\$125,000.00
Transfer Station Equipment	\$ 45,000.00
Library Computer Replacement Fund	\$ 3,000.00
Recreational Dev. & Improvement Fund	\$ 21,000.00
Computer System Fund	\$ 25,000.00

(All the items listed are part of the Town's Capital Improvement Program)

(**RECOMMENDED** by Board of Selectmen)

Anticipated tax impact = \$0.849

#### ARTICLE 32

Shall the Town raise and appropriate the sum of Seventy Thousand Dollars (\$70,000.00) to be added and allocated to the previously established Capitol Reserve Maintenance Trust Funds as shown in the chart below, of the \$70,000.00 the sum of \$50,000.00 will be withdrawn from General Fund Surplus with the balance of \$20,000.00 to be raised by taxation.

Government Building and Maintenance Fund	\$50,000.00
Employee Retirement Fund	\$20,000.00

(**RECOMMENDED** by Board of Selectmen)

Anticipated tax impact = \$0.048

#### ARTICLE 33

Shall the Town raise and appropriate the non-lapsing (2 years) non-transferable sum of Fifteen Thousand Dollars (\$15,000.00) to commission a Cost of Community Services as requested by the Planning Board

(**RECOMMENDED** by Board of Selectmen)

Anticipated tax impact = \$0.036

#### ARTICLE 34

Shall the Town raise and appropriate the sum of Six Thousand Dollars (\$6,000.00) to purchase Supplementary Death and Disability Insurance for the Fire Department (Note: This item is not included in the operating budget. If approved will become part of the Fire Department's future operating budget.)

(**RECOMMENDED** by Board of Selectmen)

Anticipated tax impact = \$0.014

#### ARTICLE 35

Shall the Town raise and appropriate Sixteen Thousand Dollars (\$16,000.00) to be drawn from the revenues produced by the Cable franchise fees and place this amount into the previously established Community Access TV Equipment Capital Reserve Fund.

(**RECOMMENDED** by Board of Selectmen)

Anticipated tax impact = \$0.038

#### ARTICLE 36

Shall the Town raise and appropriate the sum of Fifteen Thousand Dollars (\$15,000.00) for cemetery improvements. This sum to be withdrawn from Cemetery Trust Funds as provided by RSA 31:22a (cy pres), and to designate the Cemetery Trustees as agents to expend.

(**RECOMMENDED** by Board of Selectmen)

Anticipated tax impact = \$0.00

#### ARTICLE 37

Shall the Town raise and appropriate the non-lapsing (2 Years) non-transferable sum of Five Thousand Dollars (\$5,000.00) to replace and rehabilitate windows at the Weare Public Library, Four Thousand Dollars (\$4,000.00) to be withdrawn from the Library account, One Thousand Dollars (\$1,000.00) to be raised by Taxation and to designate the Library Trustees as agents to expend.

(**RECOMMENDED** by Board of Selectmen)

Anticipated tax impact = \$0.0024

#### ARTICLE 38

Shall the Town raise and appropriate the non-transferable sum of Six Thousand Dollars (\$6,000.00) for the purpose of purchasing fireworks for the 2006 Weare Patriotic Celebration.

(**RECOMMENDED** by Board of Selectmen)

Anticipated tax impact = \$0.0144

#### ARTICLE 39

Shall the Town establish a General Maintenance Expendable Trust Fund to be known as the Stewardship Fund under the provisions of RSA 31:19-a for the purpose of maintaining Conservation Easement Open Space, raise and appropriate the sum One Thousand Dollars (\$1,000.00) and to designate the Conservation Commission as agents to expend.

(**RECOMMENDED** by Board of Selectmen)

Anticipated tax impact = \$0.0024

#### ARTICLE 40

Shall the Town adopt a Code of Ethics which applies to all Town Officers, Elected Officials, Appointed Committee Officials/Members and all Town Employees?

(A full detail of the proposed Code is available in the Town Clerk's Office during regular business hours and on the Town web site at [www.weare.nh.gov](http://www.weare.nh.gov))

#### ARTICLE 41

Shall the Town establish a Heritage Commission in accordance with RSA 673 and RSA 674?

#### ARTICLE 42

Shall the Town authorize the Board of Selectmen to appoint five citizens as members of the Heritage Commission pursuant to RSA 673;4-a and RSA 673;5 and to appoint up to five alternate members.

#### ARTICLE 43

Shall the Town approve a 30/60 day demolition or removal delay, in order to provide time to see if it is possible to save historic structures from demolition or removal.

#### ARTICLE 44

Shall the Town create a Bicycle/Pedestrian Path Committee, to develop a long term plan for the Town of Weare and to check into sources of funding.

#### ARTICLE 45

Shall the Town place into Conservation two (2) Town owned parcels in the Dustin Brook headwaters to be managed by the Weare Conservation Commission as natural open space. Said parcels have no road frontage and are designated as Map 401- lots 92 and 118 containing 12.84 and 13.75 acres respectively.

#### ARTICLE 46

"In order to protect the public health, wildlife, soils, surface waters, and groundwater of the Town of Weare, the Town hereby adopts by reference as a Health Ordinance, the regulations of the state of New Hampshire, Env-Ws 800 and Env-Ws 1600 regarding the use and disposal of sewage sludge, biosolids and septage."

The proposed ordinance shall give, the Town, through the office of the Health Officer, the ability to:

- review all sewage sludge/biosolids and septage land application projects in the Town of Weare:
- issue immediate cease and desist orders to halt any sewage sludge/biosolids or septage project that is creating a public nuisance, health concern, or is in violation of strict state laws; and
- comply with RSA 485 and fulfill the Town's responsibility to provide a secure outlet for locally-produced septage.

(by **Petition**)

#### ARTICLE 47

To protect the health and welfare of residents, and to protect the surface and groundwater resources, wildlife and other natural resources of the Piscataquog River watershed in Weare, the stockpiling and land application of treated municipal sewage sludge that can be legally land applied, industrial paper mill sludge (short paper fiber), septage, and EQ solids and EQ filtrates derived from septage, shall not be stored in contact with the ground or in any way that allows runoff to reach the ground, spread, injected or in any way deposited on the ground in the Town of Weare.

In this ordinance treated municipal sewage sludge that can be legally land applied means Class A sewage sludge, Class B sewage sludge, Class A biosolids, Class B biosolids, and compost derived from such sewage sludge or biosolids.

This ordinance applies to Class A sewage sludge and Class A biosolids products sold by the bag.

This ordinance prohibits all forms of land application, including but not limited to incorporation, injection and topdressing.

(by **PETITION**)

#### ARTICLE 48

Shall the Town of Weare create a trust fund for legal expenses pursuant to RSA 31:19-a, accept donations into this trust fund, and appropriate the funds in this trust as a nontransferable appropriation for legal expenses related to the purpose of taking for "Public Use" by eminent domain, as defined by the Supreme Court of the United States in the "Kelo et al. v City of New London et al." decision on June 23, 2005, a certain parcel of land consisting of 8.08 acres located on Cilley Hill Rd., Map 406 parcel #21, also known as the Souter Property, for the development of an Inn, and shall the Town create a second trust fund for acquisition expenses, accept donations into this trust fund, and appropriate the funds in the second trust as a nontransferable appropriation for just compensation to the owner of the property, and other related expense?

Shall the Town of Weare take for "Public Use" by eminent domain, as defined by the Supreme Court of the United States in the "Kelo et al. v. City of New London et al." decision on June 23, 2005, a certain parcel of land consisting of 8.08 acres located on Cilley Hill Rd., Map 406 parcel #21, also known as the Souter Property, for the development of an Inn, or take any action related there to?

(by **PETITION**)

## ARTICLE 49

Shall the Town raise and appropriate up to the sum of Sixty Thousand Dollars (\$60,000.00) to pave the access road from Rt 114 and the parking area in between the football and soccer fields at Bolton Memorial Fields.

(by **PETITION**)

(**NOT RECOMMENDED** by Board of Selectmen)

## ARTICLE 50

To transact any other business which may legally come before this meeting?

Given under our hands and seal, this 30<sup>th</sup> day of January in the year of our Lord, two thousand and six.

### **Weare Board of Selectmen**

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Laura Buono, Chairman

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Leon G. Methot, Vice Chairman

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Heleen Kurk, Selectman

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Joseph Fiala, Selectman

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Donna Osborne, Selectman



A true copy of warrant - Attest

**Board of Selectmen**

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Laura Buono, Chairman

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Leon G. Methot, Vice Chairman

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Heleen Kurk, Selectman

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Joseph Fiala, Selectman

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Donna Osborne, Selectman

We hereby certify that we gave notice to the inhabitants within named, to meet at time and place and for the purpose within mentioned, by posting up an attested copy of the within named, and a like attested copy at the Town Hall being a public place in said Town on the 30<sup>th</sup> day of January, 2006.

**Weare Board of Selectmen**

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Laura Buono, Chairman

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Leon G. Methot, Vice Chairman

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Heleen Kurk, Selectman

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Joseph Fiala, Selectman

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Donna Osborne, Selectman